

## PARTIAL RETURN

[81a.]

To an ADDRESS of the HOUSE OF COMMONS dated April 9, 1902, for :—

1. Copies of all Orders in Council, petitions, applications, telegrams, correspondence, grants, contracts, reports, agreements, documents and communications in writing relating to or concerning the grant to or concession to A. N. C. Treadgold and others, or to the Hydraulic Mining Syndicate, either separately or associated with A. N. C. Treadgold, of any claims, rights and privileges on Bonanza, Bear and Hunker Creeks, or their tributaries, or elsewhere in the Yukon Territory.

2. A description and plan showing the situation, location, area and other particulars of all the claims, rights and privileges so granted or conceded to the said A. N. C. Treadgold and others, or to the said Hydraulic Mining Syndicate as aforesaid.

R. W. SCOTT,  
Secretary of State.

### PRIVY COUNCIL CANADA.

*Extract from a Report of the Committee of the Honourable the Privy Council, approved by His Excellency April 21, 1902.*

On a memorandum dated April 17, 1902, from the Minister of the Interior recommending, in virtue of Clause 47 of the Dominion Lands Act as enacted by Section 5, Chapter 15 of the Act 55-56 Victoria, and of Section 8 of the Yukon Territory Act as that section was enacted by Section 2 of Chapter 11 of 62-63 Victoria, that Messrs. Malcolm H. Orr-Ewing, of Malvern, England, A. N. C. Treadgold, of London, England, and Walter Barwick, of Toronto, Ontario, be granted the following rights, powers and privileges :—

1. The sole right to divert and take water from the Klondike River at any point or points between its entry into the Yukon River and Flat Creek for the purpose of generating power with which to pump water to work the auriferous deposits in the District (hereinafter termed "The District") comprising the beds, banks, valleys, slopes and hills of the Klondike River, of Bonanza, Bear and Hunker Creeks and of their tributaries.

Provided that if the right given by this section is not exercised within six years from the date hereof it may be revoked by order of the Governor General in Council.



Provided that if any power is developed and rendered available by the grantees under this section which they do not make use of, then the same shall be offered for sale to the public, and the rates to be charged therefor shall be subject to the control of the Governor General in Council.

Provided that licensed holders of mining locations situated on the Klondike River shall be entitled as against the grantees to the use of a flow of water sufficient for working their claims but not exceeding in all three thousand five hundred (3,500) miner's inches, equal to five thousand two hundred and fifty (5,250) cubic feet per minute.

Provided further that in the event of the grantees interfering with the flow of the Klondike River by the erection of dams or other obstructions or by diversion of its water to such an extent as to prevent the passage of saw logs or other timber down the stream, then the grantees shall for holders of timber berths under license from the Dominion Government provide slides and facilities free of charge for the transmission of such logs and timber over such dams and obstructions and over the portion of the river affected by such diversion of water.

2. The prior right to divert and take water from the Klondike River for distribution and use in the district, up to five thousand miner's inches.

3. The right to divert and use the water of Rock Creek subject to any grants lawfully subsisting and subject to the right of free miners' bona fide working claims on Rock Creek to the use of the water which they are entitled to under the regulations now in force respecting the diversion of water in the Yukon Territory.

4. The right at any point or points in the bed, banks, valley, slopes and hills of the Klondike River between its mouth and Flat Creek and of any creeks and tributaries within the district to construct and maintain dams, cribs, intakes, flumes and any other works necessary for the generation of power as well as for the diversion, distribution and use of water and the right of entry upon and way through any lands and any mining ground for the purpose of such construction and maintenance.

Provided that the grantees shall place in a separate dump for the use of the owners of any mining ground entered upon by them in the exercise of this right all gravel which they may be obliged to move in such mining ground in consequence of the exercise of such right.

5. The right to purchase any Crown lands required by the grantees for the purposes of their works at a price not exceeding ten dollars per acre, saving and reserving all the timber, mines and minerals upon or under such lands.

6. The right at any point or points in The District, to build, maintain and operate pumping stations, electrical works and reservoirs.

7. The right of entry upon and way through any lands and any mining ground for the purpose of constructing, laying and maintaining dams, reservoirs, flumes, ditches and pipe-lines for conveying the grantees' water supply to any point within the district.

Provided that the grantees shall place in a separate dump for the use of the owners of any mining ground entered upon by them in the exercise of this right all gravel which they may be obliged to move in such mining ground in consequence of the exercise of such right.

8. The right of entry upon and way through any lands and any mining ground within the district and within the Indian River district for the purpose of constructing and maintaining overhead or underground wires and any other structures for the transmission of electricity for any purpose whatsoever throughout the said districts and the right to levy and collect such tolls as may be approved by the Governor General in Council for the use of electricity in the said districts.

Provided that the grantee shall place in a separate dump for the use of the owners of any mining ground entered upon by them in the exercise of this right, all gravel which they may be obliged to move in such mining ground in consequence of the exercise of such right.

9. The right, subject to the regulations hereinafter contained to use, distribute and dispose of by sale or otherwise the water delivered by the grantees within The District. No water so delivered shall at any time be deemed to be part of the water



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naturally flowing in any creek or tributary within The District but shall be and remain at all times and places the property of the grantees.

10. The right subject to no payment except the royalty prescribed upon output to make entry for and work any abandoned mining claim or claims on Bonanza, Bear and Hunker Creeks, such right to be exercisable only when the grantees by the construction of works in pursuance of this franchise are in a position to deliver water upon such claim or claims for the working thereof.

11. The prior right, if mineral bearing lodes or deposits of any kind whatever be discovered through the operations of the grantees, upon lands or locations owned or leased by the grantees within The District, to enter upon and purchase locations embracing the discoveries in the manner prescribed by the regulations governing mining in the Yukon Territory.

12. The right to take from Crown Lands, to be designated by the department subject to the payment of Crown timber dues, all timber and materials needed for the construction, maintenance and operation of the grantees' works.

13. The right, subject to the regulations hereinafter contained, to construct, lay, maintain, supply with water and operate bed rock flumes, and any other flumes for supplying water in The District.

14. The grantees shall not be required to pay to the Crown or to The District or local authorities any rentals, occupation rents, assessments or other dues in respect of any lands except timber lands, or in respect of any flumes, drains, properties or profits other than import Customs duties, school taxes and a royalty on the gold mined in the mines owned by them or any tax or assessment which may be substituted for such royalty.

Provided that no other or higher royalty, or any tax or assessment which may be substituted for such royalty, shall be imposed on any gold or silver mined from quartz by the grantees, than that prescribed by the present regulations, nor shall it at any particular time be greater than the lowest royalty imposed on the output of gold and silver from the quartz mines of other mine owners in the Yukon District.

Provided also, that no other or higher royalty or any tax or assessment which may be substituted for such royalty shall be imposed on any gold and silver mined from placer mines by the grantees than that prescribed by the present regulations, nor shall it at any particular time be greater than the lowest royalty imposed on the output of gold and silver from the placer mines of other mine owners in the Yukon District.

The properties of the grantees shall be exempt from representation.

The rights conferred upon the grantees shall extend for the period of thirty years, at the expiration of which period all exclusive and prior rights granted to them shall cease and be determined, but the works and structures built by the grantees together with the lands, rights and easements which they shall have purchased or acquired shall remain the grantees' private property.

The grantees shall have the right to assign any of the rights conferred upon them to any company or companies or to any persons associated together for the purpose of carrying into effect the objects of the grant or any part of them.

## REGULATIONS.

A. The grantees shall allow all free miners within the district to tail their sluices, hydraulics, ground sluices and drains free of charge into the flumes and drains of the grantees, yet not in such a way as to damage or obstruct the free working of the flumes and drains of the grantees by rocks, stones, boulders or otherwise.

B. The grantees shall compensate the owner of any mining claim or lands for any damage which any such owner may sustain by reason of any of the grantees' works breaking or being imperfect.

C. Any question of compensation arising under this grant shall be determined judicially by the Gold Commissioner, subject to appeal to the Territorial Court of the



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district, and the said court may, upon special circumstances being shown, make an order for the taking of further evidence.

D. The grantees shall yield to the owners of claims entered upon by them for the purpose of carrying out any of the works contemplated by this grant, any gold which they may obtain in respect of any gravel which may be moved by them in such claims in consequence of the construction of such works.

The committee submit the same for His Excellency's approval.

JOHN J. McGEE,

Clerk of the Privy Council.

*EXTRACT from a Report of the Committee of the Honourable the Privy Council, approved by His Excellency on April 21, 1902.*

On a memorandum dated April 17, 1902, from the Minister of the Interior, stating that he has been in consultation with the Honourable James H. Ross, Commissioner of the Yukon Territory, with regard to certain objections which have been raised to the Orders in Council of June 12, 1901, June 29, 1901, and December 7, 1901, granting Messrs. Malcolm H. Orr-Ewing, of Malvern, England, A. N. C. Treadgold, of London, England, and Walter Barwick, of Toronto, Ontario, certain rights, powers and privileges as set out in the above mentioned Orders in Council, and such objections have also been the subject of consultation with the grantees.

The Minister recommends, as the result of the said consultations, with the assent of the said grantees, that the Orders in Council cited above, be rescinded.

The Committee submit the foregoing for His Excellency's approval.

JOHN J. McGEE,

Clerk of the Privy Council.